

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ABINGDON, VA  
FILED

DEC 15 2017

JULIA C. DUDLEY, CLERK  
BY: *J. Clark*  
DEPUTY CLERK

AMETHA CHERIE BROADWATER,  
Individually and as Administrator of  
THE ESTATE OF JAYLSSA YVONNE  
BROADWATER,

and

FREDERICK C. BROADWATER,

Plaintiffs,

v.

MAXIM HEALTHCARE SERVICES, INC.,

Defendant.

Civil Action No.:

1:17-cv-00025-JPJ-PMS

**AMENDED AGREED FINAL ORDER OF APPROVAL OF COMPROMISE AND  
SETTLEMENT PURSUANT TO VIRGINIA CODE § 8.01-55**

THIS MATTER came before the Court on the parties' Joint Petition for Approval of the  
Compromise and Settlement of this Pursuant to Virginia Code § 8.01-55

UPON CONSIDERATION of the Motion and the representation of the parties and their  
counsel, it appears to the Court that

ALL PARTIES required by law to be convened have been convened and that proper  
notice of this proceeding has been given to all interested parties; Plaintiffs alleged that their  
daughter, Jalyssa Broadwater, deceased died in connection with health care services provided in  
December 2015; that Defendant has denied any liability whatsoever to Plaintiffs and continues to  
deny any liability on its part; and that Defendant has nevertheless offered to pay to the Plaintiffs  
immediate and future periodic payments as set forth in EXHIBIT A TO AMENDED AGREED  
FINAL ORDER with a total present cost of Five Hundred and Fifty Thousand Dollars and no

cents (\$550,000.00) (the "Settlement Amount") in full and final settlement of all claims arising out of the health care services rendered to Jalyssa Broadwater;

ACCORDINGLY, the Court hereby ADJUDGES, ORDERS AND DECREES the following:

1. Finding that the compromise settlement agreed to by the parties is fair and reasonable and in the best interest of Plaintiff and the statutory beneficiaries, the Court hereby approves the settlement and ORDERS Plaintiff to accept the said offer in compromise.

2. Defendant shall pay the agreed amount of the settlement to counsel for Plaintiff, with the proceeds of the settlement to be distributed in accordance with EXHIBIT A hereto.

3. The Court further ORDERS that Defendant is hereby released of any further liability to Plaintiffs or the statutory beneficiaries of Jalyssa Broadwater; if any medical expenses or liens incurred in connection with the treatment of Jalyssa Broadwater have not been paid, then it shall be the responsibility of Plaintiff to pay any outstanding medical expenses or liens.


4. Having paid the Settlement Amount and executed the Qualified Assignment and Release Agreement, Defendant, its present or former employees, employers, agents, servants, insurers, attorneys, officers, directors, shareholders, partners, parents, affiliates and subsidiaries, predecessors, successors, successors in interest, and assigns, both jointly and individually, are hereby forever released and discharged from any and all claims, liability, demands, damages, costs, expenses, losses, actions and causes of action of any kind or nature whatsoever, both as to matters and things now known and things which may hereafter be discovery, if such there be, arising out of the care and treatment of Plaintiff and/or her unborn fetus.

5. It is further ADJUDGED, ORDERED AND DECREED that this matter be, and hereby is, **DISMISSED WITH PREJUDICE** AND THE Clerk of the Court is directed to strike

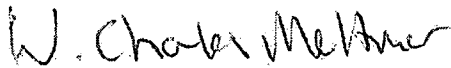
this matter from the docket of this Court and the papers placed with the ended matters properly indexed.

THIS ORDER IS FINAL.

ENTERED THIS 15<sup>th</sup> day of December, 2017

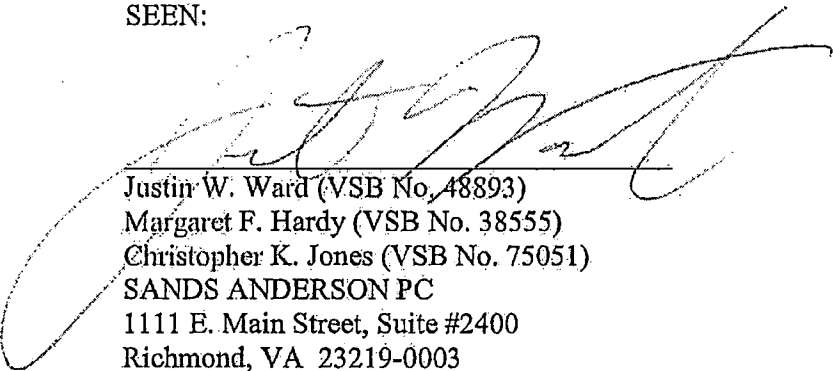
  
The Honorable Judge James P. Jones

WE ASK FOR THIS:



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